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4555-110

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on January 11, 2002.


Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Troian, S. et al.

Serial No. 10/016,294

Filed: November 2, 2001

For: METHOD AND DEVICE
FOR CONTROLLING LIQUID
FLOW ON THE SURFACE OF
A MICROFLUIDIC CHIP

Group Art Unit: TBD
Examiner: TBD

Commissioner for Patents
Washington, D.C. 20231

SIR:

***PETITION TO CORRECT FILING DATE
ACCORDED BY THE U.S. PATENT OFFICE***

In accordance with 37 CFR §1.10, Applicant hereby petitions the Commissioner to correct the filing date accorded the above-described patent application. Applicants' attorney has just received the stamped postcard indicating that the serial number assigned to this application is 10/016,294 and the filing date accorded this application is November 5, 2001. This filing date corresponds to the "date in" on the Express Mail mailing label. However, Applicants note that the "date in" date on the Express Mail mailing label is wrong. The date of deposit shown by the "date in" box on the Express Mail mailing label should read November 2, 2001, the date the Express Mail package containing this application was picked up by an employee of the U.S. Postal Service.

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In accordance with 37 CFR §1.10(d) Applicants hereby petition the Commissioner to accord the application a filing date as of November 2, 2001 which is the date the correspondence was deposited with the U.S. Postal Service under Express Mail Label No. EV011225588US. Applicants submit that applicants' attorney deposited the above described application on November 2, 2001 as evidenced by the Express Mail certificate executed by applicants' attorney and enclosed herewith. In accordance with 37 CFR §1.10(d)(3), Applicants can further show that November 2, 2001 was the date the correspondence was submitted to the U.S. Postal Service by the following evidence which is enclosed with this petition:

- (1) A copy of the USPS Track & Confirm web page indicating that the package with Express Mail number EV011225588US arrived at the USPS Edison, NJ processing center on November 2, 2001;
- (2) A copy of the USPS Express Mail Corporate Account Mailing Statement indicating that postage charges of \$12.45 were applied to Express Mail Label No. EV011225588US for service on November 2, 2001; and
- (3) A copy of the USPS Pickup Service Statement for Express Mail listing Express Mail Label No. EV011225588 as Item No. 1 and showing the USPS Postal Employee signature in Box 8a. and the Date of Pickup of November 2, 2001 in Box 8b.

In addition, Applicants note that this application claims priority of U.S. Provisional Application Serial No. 60/245,119 filed November 2, 2000. Applicants' attorney filed this regular application on November 2, 2001 to maintain the claim to priority for provisional application serial number 60/245,119.

Further, in accordance with 37 CFR §1.10 (d)(1), Applicants note that this petition is being filed promptly after the applicants' attorney has become aware that the Office has accorded a filing date based upon an incorrect entry by the U.S. Postal Service. Applicants also note, in accordance with 37 CFR §1.10 (d)(2), that the number of the Express Mail mailing label was placed on the papers, specifically the Express Mail Certificate, the returned receipt postcard, the Patent Application Transmittal Letter and the Declaration and Power of Attorney document, that constitute the correspondence prior to the original mailing by Express Mail. Applicants further submit that the copies of originally mailed application documents, and official notations by the U.S. Postal

Service are true copies of the originals.

A prompt and favorable decision on the Petition is earnestly solicited. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account 13-2165.

Respectfully submitted,



Diane Dunn McKay
Reg. No. 34,586
Attorney for Applicants

DATE: January 11, 2002

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SUB-TOTAL:						483.45	102.50				
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11/16/01		DEPOSIT							3,500.00		
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1. Acknowledgment Post Card;
2. "Express Mail" Certificate;
3. Transmittal Letter;
4. Specification (20 pgs), Claims (11 pgs), Abstract (1 pg);
5. 5 Sheets of Drawings;
6. Declaration and Power of Attorney (unsigned); and
7. Check for \$1,645.00.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Washington, D.C. 20231; BOX: Patent Application.

Diane Dunn McKay

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TITLE: Method and Device for Controlling Liquid...

CASE NO.: 4555-110 US

SERIAL NO.: 10/016,294

The Patent and Trademark Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below and acknowledges authority to charge all fees to Account 13-2165.

☐ PATENT APPLICATION - COMPLETE WITH:

- ☐ FEE AUTHORITY (x2) ☐ CHECK
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